

Planning Report

Thursday, June 19, 2014

Wellington Reserve

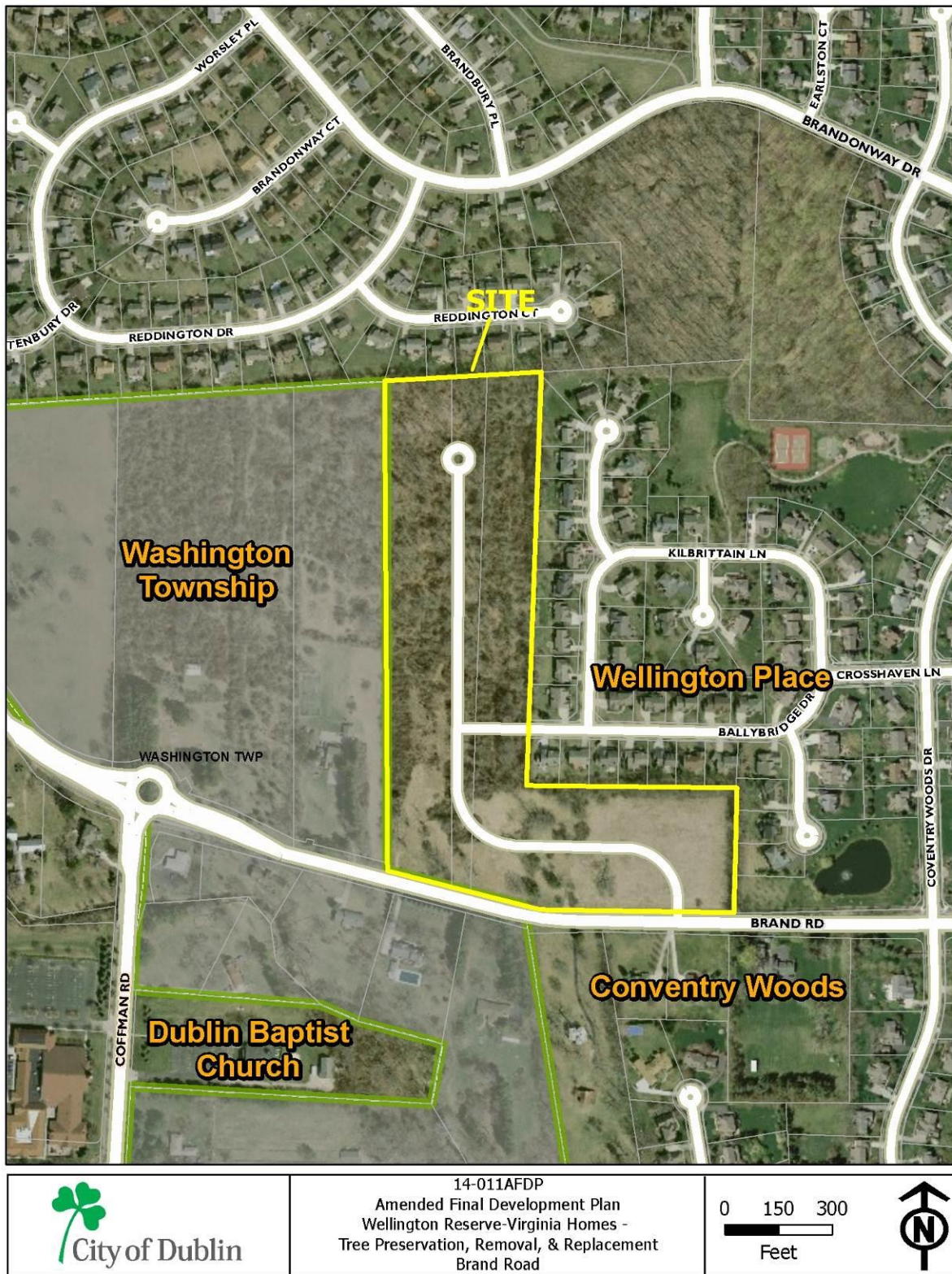
Case Summary

Agenda Item	2
Case Number	14-011AFDP
Site Location	Brand Road North side of Brand Road, approximately 800 feet east of its intersection with Coffman Road.
Proposal	Modifications to the approved landscape plan for a single-family subdivision.
Request	Review and approval of an amended final development plan under the provisions of Zoning Code Section 153.050.
Developer	Charles Ruma, Virginia Homes.
Case Manager	Claudia D. Husak, AICP, Planner II (614) 410-4675 chusak@dublin.oh.us
Planning Recommendation	In Planning's opinion, this proposal complies with all applicable review criteria and the existing development standards and approval is recommended with conditions.

Amended Final Development Plan: Approval with 2 conditions.

Conditions

- 1) That the developer remove and replace any existing trees indicated as preserved if it declines or dies within 3 years from the date of approval of this amended final development plan, subject to approval by Planning, and;
- 2) That the developer work with Planning and the adjacent property owners for Lots 16, 17 and 18 to meet the intent of the development text to achieve 75% opacity.



Facts

Site Area	18.584 acres, 28 lots and 3.4 acres of open space
Zoning	PUD, Planned Unit Development District
Surrounding Zoning	<p>East: PLR, Planned Low Density Residential District, Wellington Place subdivision</p> <p>North: PUD, Brandon subdivision</p> <p>West: Unincorporated land in Washington Township</p> <p>South: Unincorporated land in Washington Township, large lot residential uses zoned R-1 and a small portion of the Coventry Woods subdivision zoned PLR, Planned Low-Density Residential District</p>
Site Features	<ul style="list-style-type: none"> • General: L-shaped parcel, public infrastructure is completed and several homes are being constructed • Frontage: Brand Road - 950 feet. • Vegetation: Mixture of preserved trees along the northern site boundaries and partial installation of trees and shrubs within the tree preservation zone and in the reserve areas. • Elevation: 900 feet at a high point in the northern portion of the site to 884 feet in the southeast.
History	<p>September 24, 2013: City Council approved the final plat for this subdivision.</p> <p>August 23, 2012: The Planning and Zoning Commission approved a final development for 28 lots and 3.4 acres of open space and recommended approval to City Council of a final plat for the development.</p> <p>March 26, 2012: City Council approved Ordinance 14-12 for a rezoning of 18.5 acres to establish a 28 lot single-family lots as the Wellington Reserve Planned Unit Development.</p> <p>March 12, 2012: Ordinance 14-12 was introduced to City Council. Based on concern raised by adjacent residents, Council had questions regarding tree preservation, drainage, roadway alignment, and HOA maintenance responsibilities.</p> <p>January 5, 2012: The Planning and Zoning Commission recommended approval to City Council of the rezoning with preliminary development plan and preliminary plat. Several residents voiced their continued concerns</p>

Facts

	<p>regarding the proposal particularly about access, setbacks and drainage. The Commission determined that the applicant responded satisfactorily to previous concerns and provided additional information and clarification as requested.</p> <p>October 6, 2011: The Planning and Zoning Commission tabled the rezoning with preliminary development plan application to allow the applicant address resident concerns regarding access, setbacks and drainage. The Commission was concerned that not enough efforts were made regarding tree preservation and the setback from Brand Road.</p>
Development Context	The PUD permits 28 single-family lots, provides right-of-way for Wellington Reserve Drive, Ballybridge Drive and Brand Road, and approximately 3.4 acres of open space. Surrounding subdivisions include Wellington Place immediately to the east and Brandon to the north, which are both developed with single family lots at a similar density as Wellington Reserve.
Neighborhood Contact	There have been concerns raised by residents throughout the planning and the development of this subdivision. Tree preservation, removal and replanting, and drainage issues have been the greatest concerns of adjacent residents. Staff has been visiting and inspecting construction progress regularly and been in touch with residents throughout the site development to assure that the development adheres to approvals and commitments made during the rezoning and final development plan stage.

Details

Amended Final Development Plan

Plan Overview	The amended final development plan for this application requests a modification to the number of replacement trees,
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Details	Amended Final Development Plan
Development Text	<p>The development text was approved with a tree-for-tree replacement for trees in good or fair condition measuring from 6 to 24 inches, and inch-for-inch replacement for trees 24 inches and above in good or fair condition. Tree removal, preservation and replacement information was approved as part of the final development plan.</p> <p>The development text requires a Tree Enhancement Zone along the rear of all lots that do not have a Tree Preservation Zone (see below). This zone is intended as a buffer between adjoining lots and provides an area for reforestation and naturalization with deciduous and evergreen trees. The Zone is along all lots, except Lots 16, 17 and 18.</p> <p>The development text contains a requirement and definition for a Tree Preservation Zone which prohibits any structures within the zone or any work performed in the zone that would alter or damage its natural state, but allows the removal of dead, decayed, or noxious landscape material. A 40-foot wide Tree Preservation Zone is required along the rear of lots with significant mature tree stands along the northern property line (Lots 16, 17 and 18).</p> <p>The text also requires a Landscape Buffer to be installed on all lots. The buffer may consist of existing vegetation. Deciduous or evergreen shrubs and/or shrubs and is intended to strive to achieve 75% opacity within form 0-6 feet after four growing seasons.</p>
Proposed Plan Details	<p>The approved final development plan included the removal of 35 trees or 970 inches (24 inches or greater in good or fair condition) and 485 trees (less than 24 inches in good or fair condition). The original approval also included "Impacted" trees in the tree survey. These trees were accounted for in the replacement numbers but the intent was to preserve as many of these "Impacted" trees as possible. Primarily these trees were located near the construction limits.</p> <p>This proposal includes a difference in the requirement of replacement of 238 trees, or 595 inches, less than what was approved at the final development plan. The revised plans indicate that the applicant was able to preserve more trees ("Impacted" trees) than anticipated. A majority of the "Impacted" trees that were not removed are located along the rear of Lots 1 through 7 and along the north and east boundary of Reserve A. Planning has concerns about the survivability of these "Impacted trees" because many were not protected and the critical root zones of these trees were affected. It is unclear as to how many of these trees will survive.</p> <p>Changes were also made to the condition of some of the removed trees on an updated tree survey. Code does not require replacement if trees are in poor condition or dead. The applicant did confirm this downgrading of tree</p>

Details

Amended Final Development Plan

conditions with Planning prior to removal.

Proposal	Approved Plan
330 trees (6" to 24") removed	485 trees (6" to 24") removed
825" required to be replaced	1,213" required to be replaced
764" (24" +) removed	35 trees (24" +) removed
764" to be replaced based on tree for tree waiver	970" to be replaced based on tree for tree waiver
1,589 total replacement inches required	2,184 total replacement inches required
595 inches less	
91 trees less	

The difference between the approved final development plan and this proposal is that the applicant is proposing to provide 595 inches or 91 trees fewer than what was originally approved. The plans account for this decrease by including smaller replacement trees and fewer trees within the open spaces and along the rear of the three north lots (16, 17, and 18).

The proposal continues the same landscape buffer treatment and design as previously approved except for Lots 16 through 18, as discussed below. The proposed change is to the size of the trees to be installed within the buffer. The average approved size was 3 caliper inches and the proposed average size is 2.5 caliper inches, which meets Code. Planning supports the reduced tree size as the chance of survival is better for a smaller tree.

The applicant has revised the planting detail for the landscape buffer along Lots 16 through 18 to move new plantings nearer the common property line and away from the more heavily wooded areas. Planning is concerned about meeting the 75% opacity as discussed in the development text given the existing trees. The applicant should work with Planning and adjacent property owners to meet the requirement of the text.

The plans show increased tree spacing and fewer trees within the open spaces along Brand Road. Planning supports this design change as the proposed trees will have additional room to grow and are more likely to thrive in less overcrowded conditions.

Analysis

Amended Final Development Plan

Process

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a final development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.

Analysis	Amended Final Development Plan
1) <i>Consistency with the approved preliminary development plan.</i>	Criterion met: This proposal is consistent with the requirements of the proposed preliminary development plan.
2) <i>Traffic and pedestrian safety</i>	Not applicable
3) <i>Adequate public services and open space</i>	Criterion met: The proposal has all necessary public services. Construction is continuing for individual lots.
4) <i>Protection of natural features and resources</i> Condition 1	Criterion met with Condition: This proposal includes more preserved trees than originally anticipated. However, Planning is concerned that some trees may not survive due to construction impacts to the critical root zones. The applicant will be required to replace any adversely affected trees shown preserved in good or fair condition that fail or die in the next 3 years from the date of from the date of approval of this amended final development plan, subject to approval by Planning.
5) <i>Adequacy of lighting</i>	Not applicable.
6) <i>Signs consistent with preliminary development plan</i>	Not applicable.
7) <i>Appropriate landscaping to enhance, buffer, & soften the building and site</i> Condition 2	Criterion met with Condition: The plan incorporates Tree Preservation and Tree Enhancement Zones to provide for tree preservation and replacement. Landscaping includes tree replacement in Enhancement Zones, and open space landscaping along Brand Road. The applicant should work with Planning and adjacent home owners to meet the intent of the development text to achieve 75% opacity for Lots 16-18.
8) <i>Compliant Stormwater management</i>	Not applicable
9) <i>All phases comply with the previous criteria.</i>	Not applicable.
10) <i>Compliance with other laws & regulations.</i>	Criterion met: The proposal appears to comply with all other known applicable local, state, and federal laws and regulations.

Recommendation		Amended Final Development Plan
Approval	In Planning's analysis, this proposal complies with the proposed development text and the final development plan criteria. Planning recommends approval of this request with 2 conditions:	
<i>Conditions</i>	<ol style="list-style-type: none">1) That the developer remove and replace any existing trees indicated as preserved if it fails or dies within 3 years from the date of from the date of approval of this amended final development plan, subject to approval by Planning and;2) That the developer work with Planning and the adjacent property owners for Lots 16, 17 and 18 to meet the intent of the development text to achieve 75% opacity.	

AMENDED FINAL DEVELOPMENT PLAN CRITERIA

Review Criteria

In accordance with Section 153.055(B) *Plan Approval Criteria*, the Code sets out the following criteria of approval for a final development plan:

- 1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in §153.053(E)(4);
- 2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- 3) The development has adequate public services and open spaces;
- 4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
- 5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
- 6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
- 7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
- 8) Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;
- 9) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage; and
- 10) The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.